

CHAPTER 101
OPERATIONS OF COMMISSION
[Prior to 7/29/87, Natural Resources Department (561) Ch 101]
[Prior to 2/7/90, Public Defense Department(650) Ch 101]
[Prior to 12/23/92, Disaster Services Division(607) Ch 101]

605—101.1(17A) Scope. This chapter governs the conduct of business by the Iowa emergency response commission (IERC).

605—101.2(30) Membership. The Iowa emergency response commission is composed of 15 members appointed by the governor.

101.2(1) Voting members. Members representing the departments of workforce development, natural resources, public defense, public safety, and transportation, and one of the private industry representatives, who is designated by the commission at the first meeting of the commission each year, serve as voting members of the commission.

101.2(2) Nonvoting members. The remaining members of the commission, representing the department of agriculture and land stewardship, the department of justice, the department of public health, the state fire service emergency response council, a local emergency planning committee, the Iowa hazardous materials task force, the office of the governor, and two members representing private industry serve as nonvoting, advisory members of the commission. Nonvoting members may fully participate in discussion of matters before the commission, serve on committees formed by the commission and serve as officers of the commission.

605—101.3(17A,21,30) Time of meetings. The IERC shall meet at least semiannually, at the call of the chairperson, or upon written request of a majority of the members of IERC. The chairperson shall establish the date of all other meetings, and provide notice of all meeting dates, locations, and agenda.

101.3(1) Call of the chairperson. The chairperson shall notify the IERC of the date, time, and location of all meetings and state the agenda.

101.3(2) Request of the IERC. The chairperson shall schedule a meeting upon the receipt of a written request from a majority of the members of the IERC. The request shall state the reason for the meeting and the proposed agenda.

605—101.4(17A,21,30) Place of meetings. Meetings will generally be held in Des Moines, Iowa. The IERC may meet at other locations. The meeting place and time will be specified in the agenda.

605—101.5(17A,21,30) Notification of meetings.

101.5(1) Form of notice. Notice of meetings is given by posting and distributing the agenda. The agenda lists the time, date, place, and topics to be discussed at the meeting.

101.5(2) Posting of agenda. The agenda for each meeting will be posted at the office of the chairperson and in the office of the department of public defense, emergency management division.

101.5(3) Distribution of agenda. Agenda will be mailed to anyone who files a request with the chairperson. The request should state whether the agenda for a particular meeting is desired, or whether the agendas for all meetings are desired.

101.5(4) Amendment to agenda. Any amendments to the agenda after posting and distribution under subrules 101.5(2) and 101.5(3) will be posted, but not distributed. The amended agenda will be posted at least 24 hours prior to the meetings unless, for good cause, notice is impossible or impractical, in which case as much notice as is reasonably possible will be given.

101.5(5) Supporting material. Written materials provided to the IERC with the agenda may be examined and copied. Copies of the materials may be distributed at the discretion of the chairperson to persons requesting the materials. The chairperson may require a fee to cover the reasonable cost to the agency to provide the copies.

605—101.6(17A,21,30) Attendance and participation by the public.

101.6(1) Attendance. All meetings are open to the public. The IERC may exclude the public from portions of the meeting in accordance with Iowa Code section 21.5.

101.6(2) Participation.

a. Items on agenda. Persons who wish to address the IERC on a matter on the agenda should notify the chairperson at least three days before the meeting. Presentations to the IERC may be made at the discretion of the chairperson.

b. Items not on agenda. Iowa Code section 21.4 requires a commission to give notice of its proposed agenda. Therefore, the IERC discourages persons from raising matters not on the agenda. Persons who wish to address the IERC on a matter not on the agenda should file a request with the chairperson to place the matter on the agenda of a subsequent meeting.

101.6(3) Coverage by press. Cameras and recording devices may be used during meetings provided they do not interfere with the orderly conduct of the meeting. The chairperson may order the use of these devices be discontinued if they cause interference and may exclude those persons who fail to comply with that order.

605—101.7(17A,21,30) Quorum and voting requirements.

101.7(1) Quorum. Four of the six voting members of the commission constitute a quorum.

101.7(2) Majority voting. All votes shall be determined by a majority of voting members present at a meeting of the commission. A quorum of the commission must be present at the time any vote is taken by the commission.

101.7(3) Voting procedures. The chairperson shall rule as to whether the vote will be by voice vote or roll call. A roll call vote shall be taken anytime a voice vote is not unanimous. Minutes of the commission shall indicate the vote of each member.

605—101.8(17A,21,30) Minutes, transcripts and recording of meetings.

101.8(1) Recordings. The chairperson shall record by mechanized means each meeting and shall retain the recording for at least one year. Recordings of closed sessions shall be sealed and retained at least one year.

101.8(2) Transcripts. Transcripts of meetings will not routinely be prepared. The chairperson will have transcripts prepared upon receipt of a request for a transcript and payment of a fee to cover its cost.

101.8(3) Minutes. The chairperson shall record minutes of each meeting. Minutes shall be reviewed, approved, and maintained by the IERC. The approved minutes shall be signed by the chairperson.

605—101.9(17A,21,30) Officers and election.

101.9(1) Officers. The officers of the IERC are the chairperson and vice chairperson.

101.9(2) Elections. Election of officers shall take place at the first commission meeting held each calendar year. If an officer does not serve out the elected term, a special election shall be held at the first meeting held after notice is provided to the commission to elect a member to serve out the remainder of the term.

These rules are intended to implement Iowa Code chapter 30.

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